

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 21-cr-0005-BHL-1

JOHN D WHELAN,

Defendant.

ORDER REGARDING RELEASE OF FUNDS FOR ATTORNEY'S FEES

On January 5, 2021, the grand jury returned a fifteen-count indictment charging the defendant with fourteen counts, including conspiracy to distribute controlled substances, maintaining a drug-involved premises, unlawful distribution of controlled substances, and making false statements to federal agents. (ECF No. 1.) In December 2020 and January 2021, the Drug Enforcement Administration seized funds and other assets purportedly belonging to or controlled by the defendant. (*See* ECF No. 47-1.)

On April 20, 2022, the defendant filed a Motion for Return of Property pursuant to Fed. R. Crim. P. 41(g) or, in the alternative, for a hearing to determine the likelihood that assets seized from the defendant were subject to forfeiture. (ECF No. 47.) On May 19, 2022, the defendant withdrew the motion based on the parties' agreement that \$80,000.00 would be released to defense counsel for representation in this case. (ECF No. 52.) A Stipulation memorializing the parties' agreement was filed on June 1, 2022. (ECF No. 56).

Based on the parties' stipulations (ECF No. 56), and the attendant withdrawal of Defendant's motion for return of funds to pay attorneys' fees (ECF No. 52), the Court hereby

ORDERS that the United States Marshal Service release \$80,000.00 of United States currency, from the approximately \$132,732.04 seized by the United States, to Attorney Ronald Chapman II and the Chapman Law Group, as payment for Defendant's attorney's fees in this case.

Dated at Milwaukee, Wisconsin on June 2, 2022.

s/ Brett H. Ludwig

BRETT H. LUDWIG

United States District Judge